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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/588,411

06/06/2000

Roger Wolff

13237-2575(MS-149368.1)

9449

27488

7590

05/26/2006

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EXAMINER

RUTLEDGE, AMELIA L

ART UNIT

PAPER NUMBER

2176

DATE MAILED: 05/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/588,411	Applicant(s) WOLFF ET AL.	
	Examiner Amelia Rutledge	Art Unit 2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-8,10-19,21 and 24-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-8,10-19,21 and 24-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1/8/05;4/3/06</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: amendment filed 10/24/2005, IDS filed on 01/08/2005 and 04/03/2006.
2. Claims 1-3, 5-8, 10-19, 21, and 24-28 are pending in the case. Claims 1, 10, 19, and 27 are independent claims.
3. Claims 21 and 26 have been amended to overcome the claim objections of the Office Action mailed 12/08/2004.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 1-3, 5-8, 10-19, 21, and 24-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Beauregard et al. (hereinafter "Beauregard"), US Patent No. 5,974,413 filed 07/03/1997.**

Regarding amended independent claim 1 and dependent claim 5,
Beauregard teaches receiving a string of text in a recognizer after the entire string of text has been entered in the electronic document library in fig. 7, col. 5 lines 12-56, and col. 36 line 63 – col. 37 line 7. Beauregard teaches transmitting a string of text to a

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plurality of recognizer software modules in fig. 4-7 and col. 36 line 63 – col. 37 line 7, but does not teach using recognizer plug-ins. However, the disclosure of plug-ins is inherent in Beauregard, because Beauregard teaches that a user may purchase and download additional ActiveWords applications via a website, and further teaches installing and registering the downloaded application with the disclosed invention (col. 50, l. 9-68), consistent with the use of plug-ins which was common at the time of the invention. Further, Beauregard teaches that the additional downloaded applications contain recognizer libraries (col. 50, l. 35-38).

Beauregard teaches in each of the plurality of recognizer software modules, annotating the string of text to determine a plurality of labels, wherein the plurality of labels is determined based at least on the context of the string of text in the electronic document in fig. 7, col. 5 lines 12-56, and col. 25 line 11 – col. 26 line 29. Beauregard teaches transmitting the plurality of labels from the recognizer modules to the recognizer dynamic-link library and transmitting the plurality of labels to the application program module in fig. 4-7, col. 5 lines 12-56, and col. 36 line 63 – col. 37 line 7; also see p. 35, l. 5-34 where Beauregard discloses that agents are dynamic link libraries (DLLs), especially l. 13-16. Beauregard teaches automatically receiving the string of text in a recognizer agent, i.e., DLL, after the string has been entered in the electronic document, since Beauregard teaches that the archiving agent captures all text input during a session (Col. 32, l. 28-55). Beauregard further discloses annotating the text strings with labels and associating each label with the text string, since Beauregard teaches that each record in the archive contains the actual text stream and a tag, i.e.,

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label, identifying the associated application and file, timestamp (Col. 32, l. 28-55, especially l. 46-60). Beauregard discloses automatic recording of the text string into the archive (Col. 34, l. 42-43).

Regarding dependent claim 2, Beauregard teaches synchronizing the labels received from the recognizer module before transmitting the plurality of labels to the application program module in col. 42 line 27 – col. 43 line 21. The labels are synchronized in order to be presented simultaneously to the user in a menu by the recognized word.

Regarding dependent claim 3, Beauregard teaches receiving the labels in an action library in fig. 7 and col. 5 lines 12-56. Beauregard teaches displaying a menu displaying a plurality of actions based on a label in fig. 9. Beauregard does not teach using action plug-in software. However, the disclosure of plug-ins is inherent in Beauregard, because Beauregard teaches that a user may purchase and download additional ActiveWords applications via a website, and further teaches installing and registering the downloaded application with the disclosed invention (col. 50, l. 9-68), consistent with the use of plug-ins which was common at the time of the invention. Further, Beauregard teaches that the additional downloaded applications contains recognizer libraries (col. 50, l. 35-38).

Regarding dependent claim 6, Beauregard teaches performing a text string service in fig. 7 and col. 5 lines 12-56 which would have modified the electronic document being worked on.

Regarding dependent claim 7, Beauregard teaches causing the application program module to fire an event within an object model of the application program module and causing a piece of code associated with the event to be executed when at least one of the labels is determined in fig. 7, 9, and col. 5 lines 12-56.

Regarding dependent claim 8, Beauregard teaches determining the language of the text string based on the user profile and selecting different methods based on language precedence, and turning applications on and off based on language (Col. 25, l. 10-Col. 26, l. 19).

Regarding independent claim 10, Beauregard teaches determining whether an entered string of text matches one of a plurality of stored strings and determining an action if the string is matched in fig. 7, col. 5 lines 12-56, and col. 36 line 63 – col. 37 line 7. Beauregard teaches determining a label associated with the matched stored string, wherein the label is determined based at least on the context of the string of text in the electronic document in fig. 7, col. 5 lines 12-56, and col. 25 line 11 – col. 26 line 29. Beauregard teaches transmitting the plurality of labels from the recognizer modules to the recognizer dynamic-link library and transmitting the plurality of labels to the application program module in fig. 4-7, col. 5 lines 12-56, and col. 36 line 63 – col. 37 line 7; also see col. 35, l. 5-34 where Beauregard discloses that agents are dynamic link libraries (DLLs), (especially l. 13-16). Beauregard teaches automatically receiving the string of text in a recognizer agent, i.e., DLL, after the string has been entered in the electronic document, since Beauregard teaches that the archiving agent captures all text input during a session (Col. 32, l. 28-55). Beauregard further discloses annotating

the text strings with labels and associating each label with the text string, since Beauregard teaches that each record in the archive contains the actual text stream and a tag, i.e., label, identifying the associated application and file, timestamp (Col. 32, l. 28-55, especially l. 46-60). Beauregard discloses automatic recording of the text string into the archive (Col. 34, l. 42-43).

Regarding dependent claim 11, Beauregard teaches determining a set of actions associated with a label for a string of text in fig. 7 and 9, and col. 5 lines 12-56.

Regarding dependent claim 12, Beauregard teaches displaying an indication indicating that a label has been found in fig. 9 and col. 5 lines 12-56.

Regarding dependent claim 13, Beauregard teaches determining that a user has selected a string of text and in response, displaying a plurality of actions to the user in fig. 7 and 9, col. 5 lines 12-56, and col. 36 line 63 – col. 37 line 7.

Regarding dependent claims 14 and 15, Beauregard teaches receiving an indication that one of the plurality of actions has been selected and in response to receiving an indication that one of the plurality of actions has been selected, then causing the selected action to execute in fig. 7 and 9, and col. 5 lines 12-56.

Regarding dependent claim 16, Beauregard teaches that the selected action is executed by determining whether an action library assigned to the action is available and if so, then receiving instructions from the action dynamic link library assigned to the selected action in fig. 7 and 9, and col. 5 lines 12-56.

Regarding dependent claim 17, disclosure of plug-ins is inherent in Beauregard, because Beauregard teaches that a user may purchase and download

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additional ActiveWords applications via a website, and further teaches installing and registering the downloaded application with the disclosed invention (col. 50, l. 9-68), consistent with the use of plug-ins which was common at the time of the invention. Further, Beauregard teaches that the additional downloaded applications contains recognizer libraries (col. 50, l. 35-38).

Regarding dependent claim 18, Beauregard discloses determining metadata associated with the string of text in the form of seven user definable subcategories which can also be automatically assigned (Col. 32, l. 61-Col. 33, l. 15).

Regarding independent claim 19, Beauregard teaches an application program module for creating an electronic document in col. 5 lines 51-56. Beauregard teaches a recognizer dynamic link library and an action library which are connected to an application program module in fig. 7 and col. 5 lines 12-56. Beauregard teaches the use of third party software in fig. 7, but does not specifically teach the use of plug-ins. However, the disclosure of plug-ins is inherent in Beauregard, because Beauregard teaches that a user may purchase and download additional ActiveWords applications via a website, and further teaches installing and registering the downloaded application with the disclosed invention (col. 50, l. 9-68), consistent with the use of plug-ins which was common at the time of the invention. Further, Beauregard teaches that the additional downloaded applications contain recognizer libraries (col. 50, l. 35-38).

Beauregard teaches wherein at least one recognizer software module receives the string and annotates the string to determine a label, wherein the label is determined based on the context of the string in the electronic document in fig. 7, col. 5 lines 12-56,

and col. 25 line 11 – col. 26 line 29. Beauregard teaches in each of the plurality of recognizer software modules, annotating the string of text to determine a plurality of labels, wherein the plurality of labels is determined based at least on the context of the string of text in the electronic document in fig. 7, col. 5 lines 12-56, and col. 25 line 11 – col. 26 line 29. Beauregard teaches transmitting the plurality of labels from the recognizer modules to the recognizer dynamic-link library and transmitting the plurality of labels to the application program module in fig. 4-7, col. 5 lines 12-56, and col. 36 line 63 – col. 37 line 7; also see p. 35, l. 5-34 where Beauregard discloses that agents are dynamic link libraries (DLLs), especially l. 13-16. Beauregard teaches automatically receiving the string of text in a recognizer agent, i.e., DLL, after the string has been entered in the electronic document, since Beauregard teaches that the archiving agent captures all text input during a session (Col. 32, l. 28-55). Beauregard further discloses annotating the text strings with labels and associating each label with the text string, since Beauregard teaches that each record in the archive contains the actual text stream and a tag, i.e., label, identifying the associated application and file, timestamp (Col. 32, l. 28-55, especially l. 46-60). Beauregard discloses automatic recording of the text string into the archive (Col. 34, l. 42-43).

Regarding dependent claim 21, Beauregard teaches the use of third party software in fig. 7, but does not specifically teach the use of plug-ins. However, the disclosure of plug-ins is inherent in Beauregard, because Beauregard teaches that a user may purchase and download additional ActiveWords applications via a website, and further teaches installing and registering the downloaded application with the

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disclosed invention (col.. 50, l. 9-68), consistent with the use of plug-ins which was common at the time of the invention.

Regarding dependent claim 24, Beauregard teaches comparing the string of text with a plurality of stored strings to determine a match and labeling the string of text with the associated stored label of the matched stored string in fig. 7, col. 5 lines 12-56, and col. 36 line 63 – col. 37 line 7.

Regarding dependent claim 25, Beauregard teaches wherein the at least one recognizer software module compares the string to a plurality of stored strings to determine whether the string matches any of the stored strings in fig. 7, col. 5 lines 12-56, and col. 36 line 63 – col. 37 line 7.

Regarding dependent claim 26, Beauregard teaches wherein the label is associated with a matched stored string in fig. 7, col. 5 lines 12-56, and col. 36 line 63 – col. 37 line 7.

Regarding independent claim 27 and dependent claim 28, Beauregard teaches receiving a string of text in a recognizer after the entire string of text has been entered in the electronic document library in fig. 7, col. 5 lines 12-56, and col. 36 line 63 – col. 37 line 7. Beauregard teaches transmitting a string of text to a plurality of recognizer software modules in fig. 4-7 and col. 36 line 63 – col. 37 line 7, but does not teach using recognizer plug-ins. However, the disclosure of plug-ins is inherent in Beauregard, because Beauregard teaches that a user may purchase and download additional ActiveWords applications via a website, and further teaches installing and registering the downloaded application with the disclosed invention (col.. 50, l. 9-68),

consistent with the use of plug-ins which was common at the time of the invention. Further, Beauregard teaches that the additional downloaded applications contains recognizer libraries (col. 50, l. 35-38).

Beauregard teaches in each of the plurality of recognizer software modules, annotating the string of text to determine a plurality of labels, wherein the plurality of labels is determined based at least on the context of the string of text in the electronic document in fig. 7, col. 5 lines 12-56, and col. 25 line 11 – col. 26 line 29. Beauregard teaches transmitting the plurality of labels from the recognizer modules to the recognizer dynamic-link library and transmitting the plurality of labels to the application program module in fig. 4-7, col. 5 lines 12-56, and col. 36 line 63 – col. 37 line 7. Beauregard teaches receiving the plurality of labels in an action dynamic link library, transmitting the plurality of labels to a plurality of action software modules, and determining, in the action software modules, a plurality of actions based on the labels and displaying a plurality of actions received from the plurality of action software modules in fig. 7, col. 5 lines 12-56, col. 36 line 63 – col. 37 line 7, and col. 42 line 27 – col. 43 line 21.

Beauregard teaches transmitting the plurality of labels from the recognizer modules to the recognizer dynamic-link library and transmitting the plurality of labels to the application program module in fig. 4-7, col. 5 lines 12-56, and col. 36 line 63 – col. 37 line 7; also see p. 35, l. 5-34 where Beauregard discloses that agents are dynamic link libraries (DLLs), especially l. 13-16. Beauregard teaches automatically receiving the string of text in a recognizer agent, i.e., DLL, after the string has been entered in the

electronic document, since Beauregard teaches that the archiving agent captures all text input during a session (Col. 32, l. 28-55). Beauregard further discloses annotating the text strings with labels and associating each label with the text string, since Beauregard teaches that each record in the archive contains the actual text stream and a tag, i.e., label, identifying the associated application and file, timestamp (Col. 32, l. 28-55, especially l. 46-60). Beauregard discloses automatic recording of the text string into the archive (Col. 34, l. 42-43).

Response to Arguments

4. Applicant's arguments with respect to claims 1-3, 5-8, 10-19, 21, and 24-28 have been fully considered but are not persuasive. Applicant has amended independent claims 1, 10, 19, and 27 to remove the limitation *wherein the plurality of labels is determined based at least on the context of the string of text in the electronic document* (Claim 1). Previously, the Church patent was being relied upon to teach the above claimed limitation, but since the limitation has been deleted, claims 1-3, 5-8, 10-19, 21, and 24-28 are currently rejected under 35 U.S.C. 102(e) as being anticipated by Beauregard.

5. MPEP 2111 states that claims must be "given their broadest reasonable interpretation consistent with the specification." *In re Hyatt*, 211 F.3d 1367, 1372, 54 USPQ2d 1664, 1667 (Fed. Cir. 2000). Regarding the instant application, it is the examiner's opinion that the claims, given their broadest reasonable interpretation

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consistent with the specification, are disclosed either explicitly or inherently by Beauregard.

Regarding applicant's arguments (Remarks, p. 8-9) that Beauregard does not teach the limitation *automatically receiving a string of text in a recognizer dynamic link library after the entire string of text has been entered in an electronic document* (Claim 1), Beauregard does teach automatically receiving the string of text in a recognizer agent, i.e., DLL, after the string has been entered in the electronic document, since Beauregard teaches that the archiving agent captures all text input during a session (Col. 32, l. 28-55), as cited in the rejection of claim 1, above. Further, Beauregard explicitly discloses *automatic* recording of the text string into the archive (Col. 34, l. 42-43), contrary to applicant's arguments (Remarks, p. 9, par. 1).

Regarding applicant's arguments (Remarks, p. 9, par. 2) that Beauregard does not teach associating labels with recognized strings of text, Beauregard explicitly discloses annotating the text strings with labels and associating each label with the text string, since Beauregard teaches that each record in the archive contains the actual text stream and a tag, i.e., label, identifying the associated application and file, timestamp (Col. 32, l. 28-55, especially l. 46-60). The examiner respectfully disagrees with applicant's arguments that the intended function of Beauregard is directed to automatically pushing actions to a user when a word is recognized as an action word, since Beauregard discloses multiple functions including content and information services (Col. 26, l. 30-68).

Conclusion

3. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amelia Rutledge whose telephone number is 571-272-7508. The examiner can normally be reached on Monday - Friday 9:30 - 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 571-272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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